

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
EAS Management Corp dba Friendly Checker Taxi)	File No.: EB-FIELDSCR-13-00011539
Licensee of Station KCT507)	
)	
Hollywood, Florida)	NOV No.: V201332600014

NOTICE OF VIOLATION

Released: September 30, 2013

By the Resident Agent, Miami Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to EAS Management Corp dba Friendly Checker Taxi (Friendly Checker Taxi), licensee of radio station KCT507 in Hollywood, Florida. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On September 6 and 19, 2013, based on a Commission licensee's complaint of radio interference, agents of the Enforcement Bureau's Miami Office monitored and inspected radio station KCT507, and observed the following violations:

- a. 47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission..." At the time of the inspection, Friendly Checker Taxi was operating from unauthorized geographical coordinates (25° 59' 48.3" N lat, 080° 09' 05.0" W lon), 38 miles from the coordinates (26° 32' 43.3" N lat, 080° 12' 46.2" W lon) specified on its authorization. The base station address listed on the authorization is correct.
- b. 47 C.F.R. § 90.403(e): "Licensees shall take reasonable precautions to avoid causing harmful interference. This includes monitoring the transmitting frequency for communications in progress and such other measures as may be necessary to minimize the potential for causing interference." The Friendly Checker Taxi system disrupted communications of co-channel conventional licensee WQNR221.

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

- c. 47 C.F.R. § 90.425(a): “Except as provided for in paragraphs (d) and (e) of this section, each station or system shall be identified by the transmission of the assigned call sign during each transmission or exchange of transmissions, or once each 15 minutes (30 minutes in the Public Safety Pool) during periods of continuous operation. The call sign shall be transmitted by voice in the English language or by International Morse Code in accordance with paragraph (b) of this section....” On September 6, 2013, between 12:30 p.m. and 1:30 p.m., agents observed that Friendly Checker Taxi did not transmit its call sign identification KCT507 on the frequency 452.300 MHz.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Friendly Checker Taxi must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct Friendly Checker Taxi to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Friendly Checker Taxi with personal knowledge of the representations provided in Friendly Checker Taxi’s response, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in the licensee’s possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Miami Office
P.O. Box 520617
Miami, FL 33152-0617

³ 47 U.S.C. § 308(b).

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

6. This Notice shall be sent to EAS Management Corp dba Friendly Checker Taxi at its address of record.

7. The Privacy Act of 1974⁷ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Steven DeSena
Resident Agent
Miami Office
South Central Region
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).